

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**GREGORY WINSKOWSKI,**

**Plaintiff,**

**v.**

**ORDER  
Civil No. 02-4082 (MJD/RLE)**

**CITY OF STEPHEN, a municipal  
corporation,**

**Defendant.**

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Jamie R. Pierce, Marshall H. Tanick, and Teresa J. Ayling, Mansfield Tanick & Cohen, PA Counsel for Plaintiff.

Julie Anne Fleming-Wolfe, Fleming-Wolfe Law Office, Counsel for Defendant.

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Pursuant to the Eighth Circuit's order and judgment in this case [Doc. Nos. 104 & 105], the Court issues the following order.

**It is HEREBY ORDERED:**

- (1) The Court's Order and Judgement in favor of Plaintiff [Doc. Nos. 76 & 77] are **VACATED**;
- (2) The Court's Order granting in part and denying in part Plaintiff's Motion for New Trial and Attorneys Fees [Doc. No. 85] is **VACATED AS TO AN**

**AWARD OF ATTORNEYS FEES TO PLAINTIFF;**

(3) The Court's Order denying Defendant's Motion as a Matter of Law or in the Alternative for a New Trial [Doc. No. 86] is **VACATED**; and

(4) Judgment shall be entered in favor of Defendant on all counts.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 13, 2006

s / Michael J. Davis  
Michael J. Davis  
UNITED STATES DISTRICT COURT